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OSMM&N File No. 243287US2S DIV

✓ Serial No. 10/673,147

In the matter of the Application of: Hideki TAKAHASHI

For: INFORMATION RECORDING MEDIUM WHICH RECORDS
INFORMATION THAT PERTAINS TO INTEGRITY

Due Date: 08/05/05

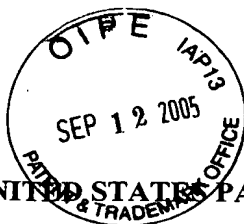
The following has been received in the U.S. Patent Office on the date stamped hereon

- Dep. Acct. Order Form
- Information Disclosure Statement
- Cited References (3)
- Japanese Office Action with English Translation
- PTO 1449
- Credit Card Payment for \$180.00



COPY

Docket No. 243287US2S DIV



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hideki TAKAHASHI

DATE ALLOWED: 06/16/05

SERIAL NO: 10/673,147

GAU: 2653

FILED: September 30, 2003

EXAMINER: Huber, P.W.

FOR: INFORMATION RECORDING MEDIUM WHICH RECORDS INFORMATION THAT PERTAINS TO INTEGRITY

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references cited on the attached Japanese Office Action with English translation and which were listed on the attached form PTO-1449, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☒ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

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Form PTO 1449
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.
243287US2S DIVSERIAL NO.
10/673,147

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Hideki TAKAHASHI

FILING DATE

September 30, 2003

GROUP

2653

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	JP 11-176103	07/02/99	Japan		x
	AP	WO96/28822	09/19/96	WIPO		x
	AQ	JP 2000-057713	02/25/00	Japan		x
	AR					
	AS					
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	

☐ Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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拒絶理由通知書

特許出願の番号 平成11年 特許願 第318821号
起案日 平成17年 6月30日
特許庁審査官 齋藤 哲 4232 5Q00
特許出願人代理人 鈴江 武彦 (外 6名) 様
適用条文 第29条第2項、第29条の2

17.9.-3

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

1. この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記 of 刊行物に記載された発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

2. この出願の下記の請求項に係る発明は、その出願の日前の特許出願であって、その出願後に出願公開がされた下記の特許出願の願書に最初に添付された明細書又は図面に記載された発明と同一であり、しかも、この出願の発明者がその出願前の特許出願に係る上記の発明をした者と同じではなく、またこの出願の時に於いて、その出願人が上記特許出願の出願人と同一でもないのに、特許法第29条の2の規定により、特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

- ・請求項 1-19
- ・引用文献等 1, 2
- ・理由 1
- ・備考

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引用文献1には、PCデータとAVデータとで交替処理方法を変更することが記載されており、テーブルによりいずれのデータが記録されているのか区別しているものの、各記録領域に記録するデータブロック単位で識別情報を記録する構成となっていない点で各請求項に係る発明と主に相違しています。

当該相違点について、引用文献2の第11頁第13-17行及び第8図に記載されているように、記録データの信頼性に関わる情報をデータブロックのヘッダ

に記録することが公知の技術であり、同様の技術分野に属する引用文献1及び2を組み合わせることに格別な点は見いだせません。

なお、引用文献2のしきい値情報はヘッダーに記録されており、ユーザーデータのECCブロックとは独立して再生が可能なものと認められます。

また、請求項8に関して、必要のないデータをダミーデータとすることは慣用の技術にすぎません。

- ・請求項 1, 2, 5-19
- ・引用文献等 1
- ・理由 2
- ・備考

引用例3には、欠陥の判定基準をデータブロック中に記録することが吉舎入れており、請求項1, 2, 5-19に係る発明と実質的に同一の構成が開示されています。

なお、請求項8に関して、必要のないデータをダミーデータとすることは慣用の技術にすぎません。

拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

引 用 文 献 等 一 覧

1. 特開平11-176103号公報
2. 国際公開第96/28822号パンフレット
3. 特願平10-222003号(特開2000-057713号)

先行技術文献調査結果の記録

- ・調査した分野 IPC第7版 G11B 20/12
- ・先行技術文献 特開平10-124262号公報
 特開平11-232791号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではありません。

COPY

(Translation)

Mailed: July 5, 2005

NOTIFICATION OF REASONS FOR REJECTION

Patent Application No.: Japanese Patent Application No. 11-318821

Examiner's Notice Date: June 30, 2005

Examiner: Satoshi SAITO 4232 5Q00

Attorney for Patent Applicant: Takehiko SUZUYE (other 6 attorneys)

Applied Sections: Section 29 (2) and Section 29^{bis}

This application is rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 DAYS of the mailing date hereof.

REASONS

1. The invention is unpatentable under Section 29 (2) of the Patent Law, as being such that the invention could easily have been made by a person with ordinary skill in the art to which the invention pertains, on the basis of the inventions described in the following publications distributed in Japan or a foreign country prior to this application.

2. The invention is unpatentable under section 29^{bis} of the Patent Law on the grounds that the invention is considered the same as the invention described in the specification and the drawing(s) originally attached to the request of the following application, which was filed before, and disclosed after, the filing date of this application and that the inventor of the present application is not considered to be the inventor of the cited application, and at the time of the filing of this application, the applicant is not considered to be the applicant of the cited application.

REMARKS (refer to references cited)

- Claims 1 to 19
- References 1 and 2
- Reason 1
- Remark

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Reference 1 discloses that an exchange processing method is changed

by PC data AV data, and the invention disclosed in Reference 1 is mainly different from the present invention as claimed in these claims in that, while pieces of data recorded are discriminated by tables, identification information is not recorded in the unit of data blocks to be recorded in individual recording areas.

As regards this difference, as disclosed in Reference 2 (page 11, lines 13 to 17 and FIG. 8), it is known in the art to record information related to the reliability of recording data in a header of a data block, and no particularly remarkable feature would thus be found in combining References 1 and 2 which pertain to the same technical field.

The threshold value information disclosed in Reference 2 is recorded in a header, and can be reproduced independently from an ECC block of user data.

As regards claim 8, it is merely conventional in the art to define unnecessary data as dummy data.

- Claims 1, 2 and 5 to 19
- Reference 1
- Reason 2
- Remark

Reference 3 discloses that the criteria of determination of defects are recorded in a data block, and is deemed to disclose substantially the same features as those of the present invention as claimed in claims 1, 2 and 5 to 19.

As regards claim 8, it is merely conventional in the art to define unnecessary data as dummy data.

If a new reason for rejection is noticed, a further Official Action will be issued.

References Cited:

1. Jpn. Pat. Appln. KOKAI Publication No. 11-176103
2. WO 96/28822
3. Japanese Patent Application No. 10-222003
(Jpn. Pat. Appln. KOKAI Publication No. 2000-057713)

Prior Art Search Report

Searched Field: IPC 7th ed. G11B 20/12

Prior-Art Documents:

- Jpn. Pat. Appln. KOKAI Publication No. 10-124262
- Jpn. Pat. Appln. KOKAI Publication No. 11-232791

The result of this prior art search does not constitute the reasons for rejection.

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